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12 Attorneys for Plaintiff
13 INTUITIVE SURGICAL, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 INTUITIVE SURGICAL, INC.,

18 Plaintiff,

19 v.

20 ILLINOIS UNION INSURANCE
21 COMPANY, an Illinois corporation;
22 NAVIGATORS SPECIALTY INSURANCE
23 CO., a New York corporation

24 Defendants.

CASE NO.: 5:15-cv-4834-JST

**JOINT STIPULATION TO EXTEND
TIME TO FILE OPPOSITION AND
REPLY BRIEFS AND CONTINUE
HEARING (DEFENDANT
NAVIGATORS SPECIALTY
INSURANCE CO.'S MOTION TO
DISMISS COMPLAINT PURSUANT TO
FRCP 12(b)(6)); and**

[PROPOSED] ORDER

Hearing Date: February 11, 2016
Time: 2 p.m.
Courtroom: 9, 19th Floor
Judge: Hon. Jon S. Tigar

1 Plaintiff Intuitive Surgical Inc. ("Intuitive") and Defendant Navigators Specialty Insurance
2 Company ("Navigators") jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to
3 extend the time to file any opposition and reply brief regarding Navigators' Motion to Dismiss
4 Complaint Pursuant to FRCP 12(b)(6) (Dkt. 13) (the "Motion to Dismiss").

5 WHEREAS, on December 18, 2015, Navigators filed its Motion to Dismiss and set the
6 motion for hearing on February 4, 2016;

7 WHEREAS, the Court continued the hearing for Navigators' Motion to Dismiss from
8 February 4, 2016 to February 11, 2016;

9 WHEREAS, as currently scheduled, Intuitive's opposition to Navigators' Motion to
10 Dismiss would be due January 4, 2016 and Navigators' reply would be due January 11, 2016;

11 WHEREAS, given the pending holidays, Intuitive requested a one week extension to
12 respond to Navigators' Motion to Dismiss, to which Navigators agreed;

13 Now therefore, the parties, through the undersigned counsel, hereby stipulate as follows:

- 14 • that the deadline for filing any opposition to Navigators' Motion to Dismiss be
15 extended to January 11, 2016;
- 16 • that the deadline for filing any reply in support of Navigators' Motion to Dismiss be
17 extended to January 25, 2016;

18 DATED: December 21, 2015

19 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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21 By: /s/ James P. Schaefer
22 Attorneys for Plaintiff
INTUITIVE SURGICAL, INC.

23 HINSHAW & CULBERTSON LLP

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25 By: /s/ Peter Felsenfeld
26 Attorneys for Defendant
NAVIGATORS SPECIALTY INSURANCE COMPANY

1 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this
2 document has been obtained from the signatories above.

3 /s/ James P. Schaefer
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[PROPOSED] ORDER

**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS
ORDERED THAT:**

1. the deadline for filing any opposition to Navigators' Motion to Dismiss Complaint Pursuant to FRCP 12(b)(6) ("Motion to Dismiss") be extended to January 11, 2016;
2. the deadline for filing any reply in support of Navigators' Motion to Dismiss be extended to January 25, 2016.

IT IS SO ORDERED.

DATED: December 22, 2015

